

REMARKS

In response to the Office Action dated March 24, 2008, Applicant respectfully requests reconsideration based on the following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

Status of the Claims

Claims 1-31, 34-37 and 39-42 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Publication No. 2003/0120591 to Birkhead et al. in view of U.S. Patent No. 6,847,942 to Land et al.

The Rejections under Section 103

The present, final Office Action duplicates the first Office Action except that the final Office Action further cites Land and rejects all of the claims under Section 103 over Birkhead in view of Land (instead of under Section 102 in view of Birkhead alone). In the final Office Action, the Examiner contends that Applicant's arguments filed December 5, 2007 (hereinafter "Applicant's first Response") have been fully considered but are deemed moot in view of the new rejections.

Applicant respectfully submits that Applicant's previous arguments are in no way rendered moot by the modification to the rejections. In the first Office Action, the only portions of Birkhead cited in support of the rejections were:

(see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

These are also the only portions of Birkhead cited in the final Office Action in support of the current rejections. The Office Action statements of arguments in support of the current Section 103 rejections are verbatim the same as the arguments presented in the first Office Action, except that they have been modified to reflect the Applicant's claim amendments and the final Office Action further argues with respect to independent Claims 1, 2, 21, 34, 39, 40 and 41:

Birkhead fail to explicitly teach wherein the customer sales information is based on the external credit rating information.

However Land discloses pertaining to the customer further comprises the steps of:

Producing at the business enterprise device an electronic file showing a customer payment history for electronic input to at least one credit agency; retrieving information electronically including trade information aging, credit ratings credit scoring, and suggested credit limit information from at least one reputed credit agency; and receiving at the business enterprise device an electronic file from at least one reputed credit agency (see column 17 lines 49-61).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Birkhead to include the customer sales information is based on the external credit rating information taught by Land in order to manage various functions related to accounts receivables credit granting collection dispute management and reporting and remittance processing.

The cited passage of Land states:

7. A method in accordance with claim 1 wherein said step of retrieving through the business enterprise device credit information pertaining to the customer further comprises the steps of:

producing at the business enterprise device an electronic file showing a customer payment history for electronic input to at least one credit agency;

retrieving information electronically including trade information, aging, credit ratings, credit scoring, and suggested credit limit information from at least one reputed credit agency; and

receiving at the business enterprise device an electronic file from the at least one reputed credit agency.

Land at col. 17, lines 49-61.

It is not understood how the foregoing arguments, or the proposed combination of Birkhead and Land more generally, can be regarded as responsive to the arguments and amendments presented in Applicant's first Response. With regard to independent Claims 1, 2, 21, 34, 39, 40 and 41, Land does not appear to cure the deficiencies of Birkhead as discussed in Applicant's first Response. Notably, the failure of Birkhead to disclose "wherein the customer sales information is based on the external credit rating information"

was not argued as grounds for patentability by Applicant in Applicant's first Response, yet this is the only claim recitation for which Land is cited. In the case of the remaining claims particularly argued by Applicant (*i.e.*, Claims 3, 4, 8, 14, 15, 19, 22, 23, 24, 26, 37 and 42), the Examiner has failed to identify or elaborate on any corresponding disclosure from Birkhead and none is apparent to Applicant.

In summary, the final Office Action does not appear to in any way address the patentable distinctions between the claimed inventions and Birkhead as pointed out in Applicant's first Response. Applicant presents these arguments again hereinbelow for the Examiner's convenience. In the event the Examiner believes Applicant has misunderstood the grounds of rejection, Applicant respectfully requests that the Examiner contact the undersigned by telephone.

Claims 1-20:

Claim 1 recites, *inter alia*:

a) sending a request for customer sales information associated with a customer from a sales representative of a business organization to a customer sales information processing and communication (CSIPC) server associated with and under the control of the business organization using a terminal that is remote from the CSIPC server

A method as claimed may substantially facilitate efficient and effective use of customer sales information in customer negotiations and the like. Where a remote terminal such as a wireless communication device is used, the sales representative of the business organization can request and receive the information while away from a central location and, more particularly, while at or traveling to a customer's facility. The method may enable the sales representative to negotiate a sale on a realtime basis.

By contrast, Birkhead discloses methods wherein a customer, not a sales representative, makes a request for a credit limit increase. The request from the customer is made to a customer sales representative (*e.g.*, by telephone), who enters customer information into a local personal computer (PC). Thus, Birkhead does not suggest sending a request from

a sales representative of a business organization, using a remote terminal, to a CSIPC server associated with and under the control of the business organization.

Nor would it have been obvious to one of ordinary skill in the art to have modified the method of Birkhead to correspond to Claim 1, as amended. Birkhead is particularly directed to providing methods and systems for receiving credit requests from customers via a call center or the like. Land does not appear to suggest modification of the Birkhead method in a manner that would satisfy the deficiencies of Birkhead in this regard.

Accordingly, Claim 1 is allowable over the cited art for at least the foregoing reasons. Claims 2-20 depend from Claim 1 and are allowable as well for at least these reasons. At least certain of the dependent claims are independently patentable over the cited art.

Claims 2-4 depend from Claim 1 and further recite that “the terminal is a wireless communication device and the request is sent to the CSIPC server using a wireless signal” (Claim 2), “the terminal and the CSIPC server communicate via a public switched telephone network (PSTN) (Claim 3), or “the terminal and the CSIPC server communicate via the Internet” (Claim 4). Birkhead does not teach or suggest a method as claimed, wherein a remote sales representative terminal communicates with a CSIPC server wirelessly or via a PSTN or the Internet.

Claim 8 depends from Claim 7, which recites:

7. The method of Claim 1 wherein:
 - a) the request includes a first customer identifier corresponding to the customer;
 - b) the method further comprises associating the first customer identifier with a second customer identifier using the CSIPC server; and
 - c) the step of retrieving the external credit information includes providing the second customer identifier to the ECRA system.

Claim 8 further recites “wherein the first customer identifier is a telephone number.” Birkhead does not teach or suggest using a telephone number as a first customer identifier.

Claim 14 depends from Claims 1, 10 and 13 and further recites “wherein the sales term includes at least one of a maximum allowed sale amount and a required down payment.” Birkhead does not teach or suggest sending customer sales information to a remote sales

representative's terminal, wherein the sale information includes a sales term including at least one of a maximum sale amount and a required down payment.

Claim 15 further recites, *inter alia*:

- a) the terminal is a wireless communication device and the request is sent to the CSIPC server using a wireless signal;
- b) the request includes a telephone number corresponding to the customer;
- c) the method further comprises associating the telephone number with a customer identifier using the CSIPC server;

Accordingly, Claim 15 is further patentably distinguishable from the cited art for at least the reasons discussed above with regard to Claims 2 and 8.

Claim 19 depends from Claim 1 and further recites "wherein the sales representative is a sales representative for a vendor of business directory advertisements, and further comprising offering to sell the customer a business directory advertisement." Birkhead only discloses a method for determining and communicating whether a credit limit can be increased. Birkhead does not disclose a method for selling business directory advertisements.

Claims 21-23:

Claim 21 is patentably distinguishable from the cited art for at least the reasons discussed above with regard to Claims 1 and 2.

Claims 22 and 23 depend from Claim 21 and are further patentably distinguishable from the cited art for the reasons discussed above with regard to Claims 3 and 4, respectively.

Claims 24 and 25:

Claim 21 is patentably distinguishable from the cited art for at least the reasons discussed above with regard to Claims 1 and 8. Claim 25 depends from Claim 24.

Claims 26 and 28-31:

Claim 26 includes the limitations of former Claim 27, and is therefore allowable for at least the reasons discussed above with regard to Claim 14. Claims 28-31 depend from Claim 26.

Claims 34-37:

Claims 34-37 recite systems for providing customer sales information corresponding to Claims 1, 21, 24 and 26 as amended, respectively. Accordingly, Claims 34-37 are patentable over the cited art for at least the reasons discussed above with regard to Claims 1, 21, 24 and 26.

Claims 39-42:

Claims 39-42 recite computer program products for providing customer sales information corresponding to Claims 1, 21, 24 and 26 as amended, respectively. Accordingly, Claims 39-42 are patentable over the cited art for at least the reasons discussed above with regard to Claims 1, 21, 24 and 26.

CONCLUSION

Applicant respectfully submits that this application is now in condition for allowance, which action is requested. Should the Examiner have any matters outstanding of resolution, he is encouraged to telephone the undersigned at 919-854-1400 for expeditious handling.

Respectfully submitted,

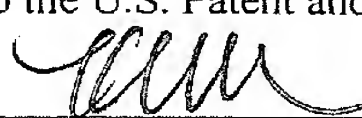


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CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on May 22, 2008.


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